

HOUSE JOURNAL

SEVENTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-SEVENTH DAY — WEDNESDAY, APRIL 9, 1997

The house met at 10 a.m.. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 107).

Present — Mr. Speaker; Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbrank.

Absent, Excused — Rodriguez; Stiles.

Absent — Gallego.

The invocation was offered by Dr. Bennie Craver, pastor, First Baptist Church, Wimberly, as follows:

Heavenly Father, it is a privilege to come before you this morning on behalf of the representatives of the Texas house.

I give you thanks for this dynamic and productive state which we are privileged to call our home, for the work to which you have called these representatives to accomplish, for family, for friends, for colleagues, and above all for you, O God.

I pray this morning for Governor Bush, Lieutenant Governor Bullock, Speaker Laney, and all the members of the Texas house. Grant them, Lord, both a willingness and an enthusiasm to work together for the good of Texas and Texans. Give them open ears to hear, open minds to receive new knowledge, open eyes to see needs, and, most importantly open hands to serve others. Direct their energies, instruct their minds, and sustain their convictions as they deliberate the business of the house.

I pray also for their families and friends back home. For those who are kept awake at night because of pain, for those who wait to hear from recent

tests, for those facing surgery, those with continuing treatments, and those who grieve recent losses, care for them as only a father can do. Give each of them a sense of your presence. Comfort them in their loneliness. Lead them to solutions for their problems. Transform worries into peace.

May this day be productive in every respect. I pray all these things in the name of Jesus. Amen.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of important business:

Stiles on motion of Ramsay.

The following member was granted leave of absence for today because of important business in the district:

Rodriguez on motion of Cuellar.

CAPITOL PHYSICIAN

The speaker recognized Representative Farrar who presented Dr. Robert M. Battle of Houston as the "Doctor for the Day."

The house welcomed Dr. Battle and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

(Gallego now present)

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 29).

HR 586 - ADOPTED (by Bailey)

Representative Bailey moved to suspend all necessary rules to take up and consider at this time **HR 586**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 586, Granting the Texas Young Democrats permission to use the house chamber on April 13, 1997.

HR 586 was adopted without objection.

HR 581 - ADOPTED (by Hunter and McReynolds)

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HR 581**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 581, Commending Terry L. Childers for his professional leadership and civic involvement.

HR 581 was adopted without objection.

HR 564 - ADOPTED
(by Allen)

Representative Allen moved to suspend all necessary rules to take up and consider at this time **HR 564**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 564, Congratulating the staff and management of Jackson Vending Supply, Inc., on the firm's 50th anniversary.

HR 564 was read and was adopted without objection.

HR 585 - ADOPTED
(by Palmer)

Representative Palmer moved to suspend all necessary rules to take up and consider at this time **HR 585**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 585, Recognizing April 9, 1997, as Lockheed Martin Day at the Capitol.

HR 585 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representative Palmer, who introduced a group from Lockheed Martin: Peter Teets, president of the Information and Services Sector; Dwain Mayfield, vice-president of Tactical Aircraft Systems; and Dr. C. S. Wells, senior vice-president of Vought Systems.

HR 371 - ADOPTED
(by Seaman)

Representative Seaman moved to suspend all necessary rules to take up and consider at this time **HR 371**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 371, Honoring the residents of Calhoun County for their efforts in locating and reclaiming Robert La Salle's ship La Belle.

HR 371 was adopted without objection.

HR 528 - ADOPTED
(by Seaman and Holzheuser)

Representative Seaman moved to suspend all necessary rules to take up and consider at this time **HR 528**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 528, Congratulating the Industrial High School basketball team on its outstanding season.

HR 528 was adopted without objection.

HR 584 - ADOPTED
(by Hunter)

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HR 584**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 584, Honoring Dr. Clyde Neal Austin for his many accomplishments.

HR 584 was adopted without objection.

BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

INTRODUCTION OF GUESTS

The speaker recognized Representative Pitts, who introduced the Italy High School boys' basketball team, their coach, Don Clingenpeel, and Principal Mickey Miller.

HR 441, congratulating the Italy High School boys' basketball team on winning the 1997 Class 2-A State Championship, having been previously adopted, was read.

HB 3562 - PERMISSION TO INTRODUCE

Representative Isett requested permission to introduce and have placed on first reading **HB 3562**.

A record vote was requested.

Permission to introduce was granted by (Record 108): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman;

Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Rodriguez; Stiles.

Absent — Hartnett; Place; Williamson.

HB 3563 - PERMISSION TO INTRODUCE

Representative Smithee requested permission to introduce and have placed on first reading **HB 3563**.

A record vote was requested.

Permission to introduce was granted by (Record 109): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Patterson; Pickett; Pitts; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Siebert; Smith; Smithee; Solis; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Rodriguez; Stiles.

Absent — Farrar; Palmer; Place; Shields.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 7).

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

The following bills were laid before the house and read third time:

SB 616 ON THIRD READING (Stiles - House Sponsor)

SB 616, A bill to be entitled An Act relating to the standards of conduct for former directors, officers, and employees of a nonprofit corporation under contract to invest the permanent university fund or certain other university funds; providing a penalty.

A record vote was requested.

SB 616 was passed by (Record 110): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Rodriguez; Stiles.

(Speaker pro tempore in the chair)

SB 203 ON THIRD READING (Staples, Allen, et al. - House Sponsors)

SB 203, A bill to be entitled An Act relating to the provision of health care to an inmate confined in a facility operated by or under contract with the Texas Department of Criminal Justice.

SB 203 was passed.

**MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**HB 2074 ON THIRD READING
(by Hightower)**

HB 2074, A bill to be entitled An Act relating to the continuation and functions of the Texas Youth Commission.

HB 2074 was passed.

**CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING**

The following resolutions were laid before the house and read second time:

**HJR 24 ON SECOND READING
(by Thompson)**

HJR 24, A joint resolution proposing a constitutional amendment granting the supreme court jurisdiction to answer questions of law certified from the court of criminal appeals and granting the court of criminal appeals jurisdiction to answer questions of law certified from the supreme court.

A record vote was requested.

HJR 24 was adopted by (Record 111): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Uher(C).

Absent, Excused — Rodriguez; Stiles.

Absent — Longoria.

STATEMENT OF VOTE

When Record No. 111 was taken, I was in the house but away from my desk. I would have voted yes.

Longoria

HJR 59 ON SECOND READING (by Delisi)

HJR 59, A joint resolution proposing a constitutional amendment limiting debt payable from the general revenue fund.

A record vote was requested.

HJR 59 was adopted by (Record 112): 143 Yeas, 1 Nay, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Edwards; Ehrhardt; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Nay — Burnam.

Present, not voting — Mr. Speaker; Uher(C).

Absent, Excused — Rodriguez; Stiles.

Absent — Dutton; Eiland.

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

The following bills were laid before the house and read third time:

HB 219 ON THIRD READING (by Brimer and Siebert)

HB 219, A bill to be entitled An Act relating to the licensing of agents for health maintenance organizations.

HB 219 was passed. (Horn recorded voting no)

HB 41 ON THIRD READING
(by McCall and Ehrhardt)

HB 41, A bill to be entitled An Act relating to the authority of a school district to permit certain persons to perform services for the district in lieu of paying ad valorem taxes owed to the district.

Amendment No. 1

Representative McCall offered the following amendment to **HB 41**:

Amend **HB 41** on third reading, in SECTION 1 of the bill (second reading engrossment), in the second sentence of proposed Section 31.035(e), Tax Code, by striking "33.01(c)" and substituting "33.01".

Amendment No. 1 was adopted without objection.

HB 41, as amended, was passed.

HB 1790 ON THIRD READING
(by Alexander)

HB 1790, A bill to be entitled An Act relating to the licensing and regulation of certain motor vehicle dealers.

HB 1790 was passed.

HB 1638 ON THIRD READING
(by Kuempel)

HB 1638, A bill to be entitled An Act relating to participation and credit in, contributions to, and benefits and administration of the Texas County and District Retirement System.

HB 1638 was passed.

HB 975 ON THIRD READING
(by Hightower)

HB 975, A bill to be entitled An Act relating to preventing and prosecuting the criminal offense of escape.

HB 975 was passed.

HB 1301 ON THIRD READING
(by Allen and Culberson)

HB 1301, A bill to be entitled An Act relating to the oversight of the private sector prison industries program.

HB 1301 was passed.

HB 601 ON THIRD READING
(by Carter, et al.)

HB 601, A bill to be entitled An Act relating to the liability in relation to and regulation of the ownership, operation, and use of sport shooting ranges.

HB 601 was passed. (Burnam recorded voting no)

HB 1404 ON THIRD READING**(by Kamel, Williamson, Rabuck, E. Reyna, and Rangel)**

HB 1404, A bill to be entitled An Act relating to the authority of public institutions of higher education to offer courses by distance learning.

A record vote was requested.

HB 1404 was passed by (Record 113): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culbertson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Uher(C).

Absent, Excused — Rodriguez; Stiles.

Absent — Haggerty; Hightower.

HB 110 ON THIRD READING**(by Giddings, Serna, Naishtat, et al.)**

HB 110, A bill to be entitled An Act relating to land acquired by a taxing unit through foreclosure of a lien.

A record vote was requested.

HB 110 was passed by (Record 114): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culbertson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer;

King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Uher(C).

Absent, Excused — Rodriguez; Stiles.

HB 279 ON THIRD READING
(by West, et al.)

HB 279, A bill to be entitled An Act relating to a requirement that inmates of the Texas Department of Criminal Justice participate in work and educational programs.

HB 279 was passed.

HB 1414 ON THIRD READING
(by Van de Putte, Maxey, G. Lewis, and Naishtat)

HB 1414, A bill to be entitled An Act relating to the creation, powers, and duties of the Community Reinvestment work group.

HB 1414 was passed.

HB 358 ON THIRD READING
(by Maxey)

HB 358, A bill to be entitled An Act relating to the use of certain detained or embargoed articles.

HB 358 was passed.

HB 373 ON THIRD READING
(by Keel, Bonnen, Hilderbran, and Kamel)

HB 373, A bill to be entitled An Act relating to the forfeiture of commutation of time for good conduct by an inmate of a county jail who files a frivolous or malicious lawsuit.

A record vote was requested.

HB 373 was passed by (Record 115): 144 Yeas, 1 Nay, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett;

Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Nay — Dutton.

Present, not voting — Mr. Speaker; Uher(C).

Absent, Excused — Rodriguez; Stiles.

Absent — Danburg.

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

The following bills were laid before the house and read second time:

CSHB 981 ON SECOND READING (by Alexander)

CSHB 981, A bill to be entitled An Act relating to fines for traffic offenses in highway or street construction or maintenance work zones.

CSHB 981 was passed to engrossment. (Patterson recorded voting no)

HB 1955 ON SECOND READING (by Hilbert)

HB 1955, A bill to be entitled An Act relating to the operation of ice skating centers.

Amendment No. 1

Representative Hilbert offered the following amendment to **HB 1955**:

Amend SECTION 1, proposed Section 760.001(1):

On page 1, line 8 strike the words "a facility or a" and insert in lieu thereof the word "that"

On page 1, line 9 delete the word "specifically" between the words "is" and "designed"

Amend SECTION 1, proposed Section 760.002(1):

On page 1, line 18 add the word "public" between the words "time" and "skating"

Amend SECTION 1, proposed Section 760.002(2)(C):

On page 2, line 1 add the word "and" between the words "for" and "remove"

Amendment No. 1 was adopted without objection.

Amendment No. 2 (Committee Amendment No. 1)

On behalf of Representative Horn, Representative Hilbert offered the following committee amendment to **HB 1955**:

Amend **HB 1955** SECTION 1, Sec. 760.002(2)(C) by adding the phrase "remove in a timely fashion all" between the words "for" and "foreign".

Amend SECTION 1, Sec. 760.002 by adding a new subsection (8) to read as follows:

"(8) maintain liability insurance of at least \$500,000 combined single limits for personal injury, death or property damage."

Amend SECTION 1, Sec. 760.006(a) by striking the current (a) and replacing it to read as follows:

"(a) Except for actions against an operator for gross negligence, malice, or intentional conduct, an operator is not liable in negligence for damages for personal injury, property damage or death unless the personal injury, property damage or death is caused by a breach of a duty prescribed in Section 760.002."

Amendment No. 2 was adopted without objection.

HB 1955, as amended, was passed to engrossment.

CSHB 1524 ON SECOND READING
(by Siebert)

CSHB 1524, A bill to be entitled An Act relating to the weight of vehicles transporting recyclable materials.

CSHB 1524 was passed to engrossment.

HB 1860 ON SECOND READING
(by Hirschi)

HB 1860, A bill to be entitled An Act relating to the disposition of the body of a deceased pauper.

HB 1860 was passed to engrossment.

HB 2105 ON SECOND READING
(by Woolley)

HB 2105, A bill to be entitled An Act relating to the regulation of credit service organizations.

HB 2105 was passed to engrossment.

HB 1463 ON SECOND READING
(by Bosse)

HB 1463, A bill to be entitled An Act relating to the sale of real property placed in the name of the state as a result of a tax foreclosure sale.

HB 1463 was passed to engrossment.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

CSHB 806 ON SECOND READING
(by Greenberg, Place, and Wilson)

CSHB 806, A bill to be entitled An Act relating to the prosecution of the offense of obstruction or retaliation.

(Speaker in the chair)

Amendment No. 1

Representative Shields offered the following amendment to **CSHB 806**:

Amend **CSHB 806** as follows:

On page 1, line 9, between "service" and "of", insert "or status".

Amendment No. 1 was withdrawn.

Amendment No. 2

On behalf of Representative Wilson, Representative Greenberg offered the following amendment to **CSHB 806**:

Amend **CSHB 806** by adding the following appropriately numbered section and renumbering the sections of the bill accordingly:

SECTION _____. This Act shall be cited as the "Douglas S. Goeble and Gil Epstein Act."

Amendment No. 2 was adopted without objection.

Amendment No. 3

Representative Grusendorf offered the following amendment to **CSHB 806**:

Amend **CSHB 806** by adding appropriately numbered SECTIONS to read as follows and by renumbering existing SECTIONS accordingly:

SECTION _____. Section 19.03(a), Penal Code, is amended to read as follows:

(a) A person commits an offense if he commits murder as defined under Section 19.02(b)(1) and:

(1) the person murders a peace officer or fireman who is acting in the lawful discharge of an official duty and who the person knows is a peace officer or fireman;

(2) the person intentionally commits the murder in the course of committing or attempting to commit kidnapping, burglary, robbery, aggravated sexual assault, arson, or obstruction or retaliation;

(3) the person commits the murder for remuneration or the promise of remuneration or employs another to commit the murder for remuneration or the promise of remuneration;

(4) the person commits the murder while escaping or attempting to escape from a penal institution;

(5) the person, while incarcerated in a penal institution, murders another:

(A) who is employed in the operation of the penal institution;

or

(B) with the intent to establish, maintain, or participate in a combination or in the profits of a combination;

(6) the person:

(A) while incarcerated for an offense under this section or Section 19.02, murders another; or

(B) while serving a sentence of life imprisonment or a term of 99 years for an offense under Section 20.04, 22.021, or 29.03, murders another;

(7) the person murders more than one person:

(A) during the same criminal transaction; or

(B) during different criminal transactions but the murders are committed pursuant to the same scheme or course of conduct; ~~or~~

(8) the person murders an individual under six years of age; or

(9) the person commits the murder by use of a firearm as defined by Section 46.01, fired from a motor vehicle at an individual not inside the motor vehicle, regardless of whether the motor vehicle is being operated at the time the firearm is fired.

SECTION _____. (a) The change in law made by Section ____ of this Act to Section 19.03, Penal Code, applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before the effective date.

(b) An offense under Section 19.03, Penal Code, committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

Representative Greenberg raised a point of order against further consideration of Amendment No. 3 under Rule 11, Section 2 of the House Rules on the grounds that it is not germane to the bill.

The speaker sustained the point of order.

The ruling precluded further consideration of the amendment.

CSHB 806, as amended, was passed to engrossment. (Burnam recorded present, not voting)

HB 1441 ON SECOND READING (by Goodman and Naishtat)

HB 1441, A bill to be entitled An Act relating to the recodification of statutes relating to protective orders and family violence.

Representative Goodman moved to postpone consideration of **HB 1441** until 10 a.m. Monday, April 14.

The motion prevailed without objection.

CSHB 984 ON SECOND READING (by Hochberg and Solomons)

CSHB 984, A bill to be entitled An Act relating to a digital signature.

CSHB 984 was passed to engrossment.

HB 930 ON SECOND READING (by Pickett)

HB 930, A bill to be entitled An Act relating to the examination of an applicant for an air conditioning and refrigeration contractor license.

HB 930 was passed to engrossment.

CSHB 278 ON SECOND READING
(by Cuellar, Allen, et al.)

CSHB 278, A bill to be entitled An Act relating to searches of certain students and children.

Amendment No. 1

Representative Allen offered the following amendment to **CSHB 278**:

Amend **CSHB 278** as follows:

(1) Insert the following appropriately numbered section of the bill to read as follows:

SECTION _____. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.131 to read as follows:

Art. 2.131. FIREARMS SEARCH. (a) A peace officer may in the scope of the officer's employment and duties and without a warrant search a person, or property in the immediate possession of the person, to determine if the person is possessing or carrying a firearm if the officer knows:

(1) the identity of the person;

(2) that the person is on probation under Section 54.04(d), Family Code, released under supervision under Section 61.081(a), Human Resources Code, or released on parole under Section 61.084(f) or (g), Human Resources Code; and

(3) that the person is subject to a reasonable search by a peace officer as a condition of probation, release, or parole imposed under Section 54.046, Family Code, Section 61.085, Human Resources Code, or Section 30, Article 42.18, Code of Criminal Procedure, as appropriate.

(b) A peace officer is not required to have reasonable suspicion that the person is possessing or carrying a firearm to conduct a search under Subsection (a).

(c) This section does not limit the authority of a peace officer to search a person if the search is otherwise authorized under state or federal law.

(d) This section does not authorize a peace officer to search the residence of a person.

(2) On page 1, line 13, after the period, insert the following:
A person who is released on parole and prohibited from possessing, carrying, using, or exhibiting a firearm as a condition of release under this subsection is subject to a reasonable search by a peace officer as provided by Article 2.131, Code of Criminal Procedure.

(3) Strike SECTION 2 of the bill (page 1, line 22 through page 2, line 19).

(4) On page 2, line 27, after the period, insert the following:
A child who is placed on probation and prohibited from possessing, carrying, using, or exhibiting a firearm as a condition of probation under this subsection is subject to a reasonable search by a peace officer as provided by Article 2.131, Code of Criminal Procedure.

(5) On page 3, line 18, after the period, insert the following:
A child who is released under supervision and prohibited from possessing, carrying, using, or exhibiting a firearm as a condition of release under this

subsection is subject to a reasonable search by a peace officer as provided by Article 2.131, Code of Criminal Procedure.

(6) On page 4, lines 2-3, strike "(a) Except as provided by Subsection (b) of this section, this Act takes effect immediately."

(7) On page 4, strike lines 10 and 11.

(8) Strike SECTION 6 of the bill (page 4, lines 12 through 18) and substitute the following appropriately numbered section of the bill to read as follows:

SECTION _____. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

(9) Renumber the sections of the bill accordingly.

Representative Goodman moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 116): 89 Yeas, 58 Nays, 1 Present, not voting.

Yeas — Alexander; Alvarado; Bailey; Berlanga; Bosse; Brimer; Burnam; Chavez; Coleman; Cook; Danburg; Davila; Davis; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Farrar; Flores; Gallego; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Gutierrez; Hawley; Hernandez; Hightower; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Jones, D.; Jones, J.; Junell; Keel; King; Lewis, G.; Lewis, R.; Longoria; Luna; Maxey; McCall; McClendon; McReynolds; Moffat; Moreno; Naishtat; Nixon; Oliveira; Olivo; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Rhodes; Sadler; Serna; Solis; Solomons; Staples; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Williams; Wilson; Wise; Wolens; Yarbrough; Zbranek.

Nays — Allen; Averitt; Bonnen; Carter; Chisum; Christian; Clark; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Delisi; Denny; Driver; Elkins; Finnell; Galloway; Grusendorf; Haggerty; Hamric; Hartnett; Heflin; Hilbert; Hilderbran; Holzhauser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Kamel; Keffer; Krusee; Kubiak; Kuempel; Madden; Marchant; Merritt; Mowery; Oakley; Palmer; Reyna, E.; Roman; Seaman; Shields; Siebert; Smith; Smithee; Swinford; Walker; West; Williamson; Wohlgemuth; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Rodriguez; Stiles.

Amendment No. 2

Representative Hightower offered the following amendment to **CSHB 278**:

Amend **CSHB 278** as follows:

On page 2, line 26, strike "shall" and substitute "may".

Amendment No. 2 was adopted without objection.

CSHB 278, as amended, was passed to engrossment. (Corte recorded voting no)

HB 1217 ON SECOND READING
(by Gutierrez and Kamel)

HB 1217, A bill to be entitled An Act relating to contracts for fire hydrant service made with a water supply and sewer service corporation.

HB 1217 was passed to engrossment.

HB 2258 ON SECOND READING
(by Culberson)

HB 2258, A bill to be entitled An Act relating to the imposition of taxes or fees in certain water districts.

Amendment No. 1

Representative Culberson offered the following amendment to **HB 2258**:

Amend **HB 2258** as follows:

- (1) On page 2, line 1, strike "the" and substitute "that"
- (2) On page 2, line 2, strike "any" and substitute "that"
- (3) On page 2, line 2, strike "fifth" and substitute "second"

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Yarbrough offered the following amendment to **HB 2258**:

Amend **HB 2258** in Section 1 of the bill, in added section 53.089, subdivision (b), between "conducted" and "not later", by inserting ", in accordance with Chapter 41, Election Code,".

Amendment No. 2 was adopted without objection.

HB 2258, as amended, was passed to engrossment.

CSHB 1564 ON SECOND READING
(by Eiland)

CSHB 1564, A bill to be entitled An Act relating to requiring certain special districts to select a depository and follow a competitive bidding process.

CSHB 1564 was passed to engrossment.

CSHB 677 ON SECOND READING
(by Solomons)

CSHB 677, A bill to be entitled An Act relating to the punishment for certain persons who sell, manufacture, distribute, or possess a document that is deceptively similar to a driver's license.

CSHB 677 was passed to engrossment.

HB 239 ON SECOND READING
(by Puente)

HB 239, A bill to be entitled An Act relating to certain benefits provided under the Texas Public School Employees Group Insurance Program.

Amendment No. 1

Representative Puente offered the following amendment to **HB 239**:

Amend **HB 239** as follows:

On page 1, line 10, insert the words ", or is at least 40 years of age with a family history of prostate cancer or another cancer risk factor," following the words "50 years of age".

Amendment No. 1 was adopted without objection.

HB 239, as amended, was passed to engrossment.

CSHB 1473 ON SECOND READING
(by Siebert)

CSHB 1473, A bill to be entitled An Act relating to the licensing and regulation of certain motor vehicle dealers.

CSHB 1473 was passed to engrossment.

CSHB 880 ON SECOND READING
(by A. Reyna)

CSHB 880, A bill to be entitled An Act relating to the witnessing provisions of the Natural Death Act.

Amendment No. 1

Representatives Wohlgemuth and A. Reyna offered the following amendment to **CSHB 880**:

Amend **CSHB 880** as follows:

(1) On page 4, strike line 3, and substitute the following:

"SECTION 3. Section 672.009(d) and (e), Health and Safety Code, are".

(2) On page 4, between lines 9 and 10, insert the following:

(e) If the patient does not have a legal guardian and a person listed in Subsection (b) is not available, a treatment decision made under Subsection (b) must be witnessed by another physician who is not involved in the treatment of the patient.

(f) [(e)] The fact that an adult qualified patient has not executed or issued a directive does not create a presumption that the patient does not want a treatment decision to be made to withhold or withdraw life-sustaining procedures.

Amendment No. 1 was adopted without objection.

CSHB 880, as amended, was passed to engrossment.

HB 725 ON SECOND READING
(by Eiland)

HB 725, A bill to be entitled An Act relating to the summoning and payment of witnesses in certain civil suits.

HB 725 failed to pass to engrossment.

CSHB 711 ON SECOND READING
(by Cuellar and McClendon)

CSHB 711, A bill to be entitled An Act relating to highway route designations for non-radioactive hazardous materials.

Amendment No. 1

Representative Cuellar offered the following amendment to **CSHB 711**:

Amend **CSHB 711** in SECTION 1, Sec. 3A, by adding the following at the end of subsection (a):

"The rules shall provide for consultation with a political subdivision when a route is being proposed within its jurisdiction."

Amendment No. 1 was adopted without objection.

CSHB 711, as amended, was passed to engrossment.

SB 757 ON SECOND READING
(R. Lewis - House Sponsor)

SB 757, A bill to be entitled An Act relating to water quality protection zones.

SB 757 was considered in lieu of **HB 1707**.

SB 757 was passed to third reading.

HB 1707 - LAID ON THE TABLE SUBJECT TO CALL

Representative Keel moved to lay **HB 1707** on the table subject to call.

The motion prevailed without objection.

RULES SUSPENDED

Representative Goodman moved to suspend the 5-day posting rule to allow the Committee on Juvenile Justice and Family Issues to consider **HB 1888** and **SB 797**.

The motion prevailed without objection.

Representative Brimer moved to suspend House Rule 4, Section 18(c), as it relates to the filing of the March 26 committee minutes for **HB 92**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

State Recreational Resources, on adjournment today, Desk 28, to consider **HB 1452**.

Human Services, on adjournment today, Desk 41, to consider pending bills.

Juvenile Justice and Family Issues, one hour after adjournment today, E1.028, Capitol Extension, to consider regular business.

Civil Practices, 9 a.m. Thursday, April 10, E2.028, Capitol Extension.

Urban Affairs, on adjournment today, Desk 73, to consider **HB 1117** and **HB 1138**.

Energy Resources, on adjournment today, Desk 18, to consider **HB 1730**, **HB 2691**, and **HB 3194**.

Transportation, on adjournment today, Desk 25.

County Affairs, 1:00 p.m. today, E2.030, Capitol Extension.

HR 583 - ADOPTED

(by **J. Jones**)

Representative J. Jones moved to suspend all necessary rules to take up and consider at this time **HR 583**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 583, Honoring the Reverend Dr. C. B. T. Smith for more than 44 years of service as pastor of Golden Gate Missionary Baptist Church.

HR 583 was adopted without objection.

ADJOURNMENT

Representative Greenberg moved that the house adjourn until 10 a.m. tomorrow in memory of police officer Douglas S. Goeble and prosecuting attorney Gil Epstein.

The motion prevailed without objection.

The house accordingly, at 12:42 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 3560 (by Goodman), Relating to salary supplements from the state for certain county attorneys and county judges.

To Judicial Affairs.

HB 3561 (by Williams), Relating to the Town Center Improvement District of Montgomery County, Texas; authorizing a tax and granting the authority to issue bonds.

To Natural Resources.

HCR 192 (by Roman and Kubiak), Designating April 15, 1997, as Bryan-College Station Day at the Capitol.

To Rules & Resolutions.

HCR 194 (by Hupp), Declaring the week of October 20, 1997, as Children's Gun Safety Week.
To Public Safety.

HR 557 (by Kamel), Honoring Dr. Thelma Hazel Overall for her service to the schoolchildren of Tyler.
To Rules & Resolutions.

HR 560 (by Siebert), In memory of Tharon Finck.
To Rules & Resolutions.

HR 561 (by Greenberg), Granting the Texas Association for Symphony Orchestras permission to use the house chamber on April 17, 1998.
To House Administration.

HR 562 (by Greenberg), Granting Professor Janice C. May and her students permission to use the house chamber on April 13, 1997.
To House Administration.

HR 563 (by Greenberg), Honoring Bluebonnet Girls State and granting permission for the program to use the house chamber on June 23, 1997, and on June 22, 1998.
To House Administration.

HR 565 (by Kubiak), Honoring Bennie and Evelyn Allen on the occasion of their 60th wedding anniversary.
To Rules & Resolutions.

HR 566 (by Keel), Welcoming the seventh-grade class of Canyon Vista Middle School to the State Capitol.
To Rules & Resolutions.

HR 567 (by McReynolds), Honoring Angelina County Airport on being named the 1997 Airport of the Year by the Texas Department of Transportation.
To Rules & Resolutions.

HR 569 (by Dutton), Congratulating Officer Alvin Gills on being named an outstanding Texan by the Texas Legislative Black Caucus.
To Rules & Resolutions.

HR 570 (by Dutton), Honoring Gregory Porter.
To Rules & Resolutions.

HR 571 (by Dutton), Honoring Leon Sandles on being named an Outstanding Texan by the Texas Legislative Black Caucus.
To Rules & Resolutions.

HR 572 (by Dutton), Congratulating Earl "Ben" White on being named an outstanding Texan by the Texas Legislative Black Caucus.
To Rules & Resolutions.

HR 573 (by Dutton), Honoring Robert L. Gray.
To Rules & Resolutions.

HR 574 (by Dutton), Honoring Calvin McAdams.
To Rules & Resolutions.

HR 576 (by Wise), Recognizing the Texas sweet onion as the Official State Vegetable of Texas commemorating the Eighth Annual Texas Rio Grande Valley Onion Festival.

To State, Federal & International Relations.

HR 579 (by Palmer), Honoring Lake Worth United Methodist Church.

To Rules & Resolutions.

HR 582 (by Solis), Honoring the Santa Maria High School boys' basketball team.

To Rules & Resolutions.

HR 583 (by J. Jones, Davis, Giddings, and Hodge), Honoring the Reverend Dr. C. B. T. Smith for more than 44 years of service as pastor of Golden Gate Missionary Baptist Church.

To Rules & Resolutions.

HR 587 (by Clark), Congratulating the Honorable Lloyd Perkins on being named Citizen of the Year by the League of Women Voters.

To Rules & Resolutions.

SB 274 to Higher Education.

SB 353 to State, Federal & International Relations.

SB 571 to Economic Development.

SB 623 to Licensing & Administrative Procedures.

SB 699 to Urban Affairs.

SB 700 to Business & Industry.

SB 725 to Human Services.

SB 882 to State Affairs.

SB 977 to Transportation.

SB 1134 to Urban Affairs.

SCR 63 to Rules & Resolutions.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

Senate List No. 7

SB 504

House List No. 29

HCR 38

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, April 9, 1997

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 680 Turner, Bob SPONSOR: Ogden
Relating to used fire control or fire rescue equipment donated to or made available by the Texas Forest Service.
(AMENDED)

HCR 104 Hightower SPONSOR: Ogden
In memory of Dr. Eugene Morse Addison.

HCR 185 Dunnam SPONSOR: Sibley
Honoring the city of West.

SB 34 Zaffirini
Relating to the parent-child relationship, suits affecting the parent-child relationship, and the protection of children.

SB 181 Shapiro
Relating to the conservatorship of a child by the Department of Protective and Regulatory Services.

SB 216 Nixon, Drew
Relating to the disqualification for the receipt of unemployment compensation benefits of an individual receiving certain remuneration.

SB 359 Brown
Relating to the continuation and operation of the Department of Protective and Regulatory Services, the provision of services to children and families, and suits affecting the parent-child relationship; providing penalties.

SB 519 Bivins
Relating to the number of charters for an open-enrollment charter school that the State Board of Education may grant.

SB 521 Bivins
Relating to parental consent for certain activities in public schools.

SB 581 Ratliff
Relating to the cost of operation and administration of the state lottery.

SB 583 Ratliff
Relating to the construction of facilities by school districts and institutions of higher education.

SB 663 Whitmire

Relating to the authority of a judge to place a defendant convicted of a state jail felony on community supervision, to the supervision of those defendants, and to the facilities in which those defendants may be confined.

SB 665 Haywood

Relating to the sale and delivery of certain motor fuel; providing criminal, administrative, and civil penalties.

SB 670 Shapiro

Relating to adoption incentives for licensed child-placing agencies.

SB 717 Duncan

Relating to keeping school campuses open after school hours for recreational purposes and tutoring.

SB 758 Shapleigh

Relating to the offense of criminal mischief involving graffiti and the regulation of customer access to aerosol paint.

SB 777 Carona

Relating to the authorization of certain deductions from an employee's pay.

SB 780 Zaffirini

Relating to the use of personal leave by school district employees.

SB 893 Moncrief

Relating to certain convention center hotel facilities.

SB 950 Patterson, Jerry

Relating to assistance for certain airports.

SB 952 Moncrief

Relating to anatomical gifts and donor cards.

SB 992 Nixon, Drew

Relating to the operation of the Tyler County Hospital District.

SB 1001 West, Royce

Relating to the offense of possessing a firearm, illegal knife, club, or prohibited weapon in a place where weapons are prohibited.

SB 1356 West, Royce

Relating to reporting of information by public schools relating to expulsions and placements in alternative education programs.

SCR 54 West, Royce

Proclaiming the month of April, 1997, as Youth Alcohol Awareness Month in Texas.

Respectfully,

Betty King
Secretary of the Senate

Message No. 2**MESSAGE FROM THE SENATE
SENATE CHAMBER**

Austin, Texas

Wednesday, April 9, 1997 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:**HCR 127** Driver SPONSOR: Carona

In memory of Officer Michael David Moore.

SCR 65 Patterson, Jerry

Encouraging all Texans to observe Former Prisoners of War Recognition Day
on April 9, 1997.

Respectfully,

Betty King
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 8

Criminal Jurisprudence - **HB 61, HB 237, SB 329**Elections - **HB 32**Human Services - **HB 1555, HB 1596, HB 2509, HB 2601**Judicial Affairs - **HB 1516**Juvenile Justice & Family Issues - **HB 1714, HB 2073**

Licensing & Administrative Procedures - **HB 629, HB 2025, HB 2745,**
HB 2861, HB 3437, HB 3440, HB 3441

Natural Resources - **HB 666, HB 1248, HB 2563, HB 2688, HB 2689**Public Health - **HB 1312**State Affairs - **SB 694**

State, Federal & International Relations - **HB 996, HB 1062, HB 1673, HB 1811, HB 2131, HB 2512**

ENGROSSED

April 8 - **HB 157, HB 614, HB 622, HB 834, HB 1016, HB 1113, HB 1288, HB 1300, HB 1386, HB 1387, HB 1406, HB 1525, HB 1880**

ENROLLED

April 8 - **HCR 38, HCR 155, HCR 190, HCR 191**

SENT TO THE GOVERNOR

April 8 - **HCR 155, HCR 190, HCR 191**

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